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Agenda items 35, 39, 67 and 83

Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Elimination of racism, racial discrimination, xenophobia and related intolerance

The rule of law at the national and international levels

Security Council
Sixty-seventh year

Letter dated 25 April 2012 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

According to mass media reports, the Republic of Armenia is planning to hold, in July 2012, so-called "presidential elections" in the occupied Daghlyq Garabagh (Nagorno Karabakh) region of the Republic of Azerbaijan. In this regard, on instructions from my Government, I have the honour to state the following.

It has been internationally recognized, including by the General Assembly and the Security Council, that the Daghlyq Garabagh region and seven surrounding districts of the Republic of Azerbaijan are under Armenian military occupation. Armenia used military force to occupy the territory of Azerbaijan and to establish on it the ethnically constructed subordinate separatist entity, which is ultimately nothing other than the product of aggression and racial discrimination and which survives by virtue of Armenia's political, military, economic and other support. The illegality of the separatist entity and its structures has been repeatedly stated at the international level in the most unambiguous manner. This entity is entirely unrecognized as such; it is essentially under the Republic of Armenia's direction and control.

The Republic of Azerbaijan has repeatedly stated that, despite ongoing political efforts towards the negotiated settlement of the conflict based on international law, the policy and practice of the Republic of Armenia, the occupying Power, implemented through, inter alia, various illegal activities in the occupied

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territories of Azerbaijan, clearly testify to its intention to secure the annexation of these territories.

This is not the first time that the Republic of Armenia, in open defiance of the Charter of the United Nations, fundamental principles of international law and relevant resolutions of the General Assembly and the Security Council, as well as the Constitution and national legislation of the Republic of Azerbaijan, has held so-called "elections" in the occupied Daghlyq Garabagh region of Azerbaijan. It is well established, however, that democracy cannot be propagated by the sword and that an illegal act cannot produce legal rights. Therefore, against the background of continuing aggression against and occupation and ethnic cleansing of the captured territories of Azerbaijan, the arranging of any kind of voting process there is a priori null and void and can in no way impose a unilateral solution.

The international community has unequivocally condemned all previous "elections" in the occupied Daghlyq Garabagh region of Azerbaijan. My Government therefore expects that the United Nations and its Member States will again voice their unequivocal protest against the above-mentioned provocative and illegal action, which undermines the sovereignty and territorial integrity of the Republic of Azerbaijan, demonstrates contempt for human rights and fundamental freedoms and jeopardizes the ongoing political efforts towards the settlement of the conflict. We call upon the international community to demand that the leadership of the Republic of Armenia cease its destructive policy of annexation and ethnic cleansing, renounce attempts to discredit the peace process and ensure that the occupation of the territories of Azerbaijan is ended.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 35, 39, 67 and 83, and of the Security Council.

(*Signed*) Agshin **Mehdiyev**
Ambassador
Permanent Representative